

**COOK COUNTY SHERIFF'S MERIT BOARD**

**STATE OF ILLINOIS)**  
    ) SS:  
**COUNTY OF COOK)**

**COOK COUNTY SHERIFF'S MERIT BOARD HEARING**

**SHERIFF OF COOK COUNTY,**                  )

**IN THE MATTER OF:**

**Petitioner,**                  )   **DOCKET NO. 1782**

**vs**                  )

**Kimberly A. Franks Badge #8836**                  )

**Respondent.**                  )

THIS MATTER COMING ON to be heard pursuant to notice, the board finds as follows:

1. The Respondent, Kimberly A. Franks, hereinafter "Respondent", was appointed a correctional officer on April 17, 2006. Respondent's current position is as a Correctional Officer and involves duties and responsibilities to the public; and
2. Each member of the Cook County Sheriff's Merit Board, hereinafter "the Board", has been duly appointed to serve as a member of the board pursuant to confirmation by the Cook County Board of Commissioners, State of Illinois, to sit for a stated term; and
3. The Board has jurisdiction of the subject matter of the parties in accordance with Chapter 55 of the Illinois Compiled Statutes; and
4. The Respondent was personally served with a copy of the Complaint and notice of hearing and appeared before the Board to contest the charges contained in the complaint.
5. Dr. Byron Brazier was the hearing officer.

**Background:** By a complaint dated September 15, 2014, the Sheriff, sought the termination of Correctional Officer Kimberly A. Franks, Star number 8836. The complaint alleged that the respondent was absent from scheduled work shifts in the absentees were authorized for a total of 20 days and in excess of 80 hours between February 27, 2012 and December 3, 2012 in the original complaint. And that on January 8, 2013, the respondent, the Teamsters local 700, and the Sheriff of the cook County entered into a last chance agreement (LCA). The terms of this agreement can be found in the original complaint. And that the respondent breached certain provisions of the Last Chance Agreement by incurring one or more unauthorized absence days within a three month period from the effective date of the Last Chance Agreement and that the respondent breached certain provisions of the Last Chance Agreement by incurring 3 or more unauthorized absences between three months to one year of the effective date of the Last Chance Agreement.

Finally, the above actions violated the Rules and Regulations of the Cook County Department of Corrections, specifically:

General Order 3.8 Section I and III A-4 and D7

Sheriff's order 11.2.20.00 (effective January 25, 2013), VI-A2, E1b4, II.

Sheriff's order 11.4.1.0 Section II VIII - B1a

Sheriff's order one 1.4.1.1 section II -VII-C1a

Cook County Sheriff's Merit Board Rules and Regulations, Article X, paragraph B, section 3.

**Issues Presented:** Whether the actions of the Respondent, in violating of the Last Chance Agreement, violated the general orders and rules and regulations set forth above and what if any discipline is appropriate.

**Resolution of Issues Presented:** After review of all testimony and evidence presented by the States Attorney and the Respondent's Attorney, the Merit Board finds that the respondent did violate:

General Order 3.8 Section I and III A-4 and D7

Sheriff's order 11.2.20.00 (effective January 25, 2013), VI-A2, E1b4, II.

Sheriff's order 11.4.1.0 Section II VIII - B1a

Sheriff's order one 1.4.1.1 section II -VII-C1a

Cook County Sheriff's Merit Board Rules and Regulations, Article X, paragraph B, section 3.

**Findings of Fact:** An evidentiary hearing in this matter began January 14, 2015 and the charges and evidence was presented by the States Attorney and the Respondent was present and represented by counsel.

There was one witness presented by the Sheriff, [REDACTED], Deputy Director of Human Resources. The testimony presented by Sheriff, and in the original complaint, explained, in detail, the personnel time records for Kimberly Franks that demonstrated the days that she missed which violated her Last Chance Agreement. And upon cross examination of [REDACTED] her testimony was consistent and credible.

Upon direct examination of the respondent, there was no rationale, testimony or evidence that refuted the testimony of [REDACTED] or any material explanations or substantiated errors by the Cook County Department of Personnel.

**Conclusions of Law:** Given the testimony of [REDACTED] and the testimony of Correctional Officer Franks, it is the conclusion of the Merit Board that the respondent Kimberly Franks did violate her last chance agreement and the Sheriff's orders, the Sheriff's General Orders and the Cook County Sheriff Merit Board rules and regulations listed the above.

Therefore it is the conclusion of the Merit Board that Kimberly A. Franks be terminated effective September 15, 2014.

Kimberly A. Franks - Correctional Officer - Docket Number 1782

[REDACTED]  
James P. Nally, Chairman

[REDACTED]  
Brian Kiordan, Board Member

[REDACTED]  
John Valicandro, Board Member

[REDACTED]  
Patrick Brady, Board Member

[REDACTED]  
Byron Brazier, Vice Chairman

[REDACTED]  
Jennifer Bae, Board Member

[REDACTED]  
Vince Winters, Board Member

[REDACTED]  
Kim Widup, Board Member

May 7, 2015